



Pharmacy Sale of Syringes in California Senate Bill 1159 (Vasconcellos, Statutes of 2004)

Until the 2004 signing of Senate Bill (SB) 1159 by Governor Arnold Schwarzenegger, California was one of only five states that required a prescription in order to purchase a syringe.¹ SB 1159 allows California pharmacies, when authorized by a local government, to sell up to ten syringes without a prescription to an adult. In the absence of local authorization of a Disease Prevention Demonstration Project (DPDP), the sale and possession of syringes without a prescription remains illegal.

The provisions authorizing sale and possession of up to ten syringes sunsets on December 31, 2010. The California Department of Public Health, Office of AIDS (CDPH/OA) will conduct an evaluation of the effects of limited syringe deregulation, and the long-term desirability of non-prescription syringe sale.

Currently:

- ❖ Fifteen counties and four cities in California have authorized a DPDP. An additional 13 counties are currently considering or planning to implement the program, and three County Boards of Supervisors have rejected authorization of a DPDP.
- ❖ Creation of local coalitions has helped facilitate the authorization and implementation process in some local health jurisdictions (LHJs), and has helped to build public health constituencies locally.
- ❖ Participating pharmacists are enthusiastic about the opportunity to provide injection drug-using customers with health materials, information, and links to care. To date, no adverse incidents have been reported in any pharmacy.

Evaluation:

- ❖ The Evaluation Report is due to the Governor and Legislature in January 2010.
- ❖ CDPH/OA has conducted two surveys, to date, of all LHJs, examining a wide range of questions from syringe disposal mechanisms favored by LHJs to level of pharmacist participation in each county.
- ❖ The California HIV/AIDS Research Program has funded a qualitative study of facilitators and obstacles to SB 1159 implementation.
- ❖ CDPH/OA has funded a study of syringe disposal and accidental needlestick injuries.
- ❖ CDPH/OA plans a detailed analysis of HIV counseling and testing (C&T) data to be included in the final report.

Research:

- ❖ Numerous studies concur that improved syringe access reduces the rate of HIV transmission, without increasing rates of drug use, drug injection, or crime.² To date, no study has found otherwise.
- ❖ A study published in 2001 compared rates of injection drug use and rates of HIV among injection drug users in 96 U.S. cities. Sixty cities did not require a prescription for the sale of syringes and 36 did require a prescription. There was no statistically significant difference in the prevalence of injection drug use between the two groups of cities. However, the rate of HIV among injection drug users was twice as high in the cities that prohibited sale of syringes (13.8 percent versus 6.7 percent).³
- ❖ Sharing contaminated syringes is linked to 19 percent of all AIDS cases in California.⁴ The link between injection drug use and HIV is particularly strong for women and people of color. In California, 37 percent of cumulative AIDS cases among women, 24.3 percent of cases among African American men and women, and 22.4 percent of cases among Latinas are directly attributable to syringe sharing.⁵
- ❖ Peace officers are at risk of exposure to hepatitis C or HIV due to accidental needlestick injuries. A recent study found that 29.7 percent of San Diego Police Officers surveyed had suffered a needlestick injury on-duty, usually during a pat-down or search incident to arrest.⁶ In the six months following a similar change in Connecticut law, needlestick injuries to police officers decreased by 66 percent.⁷
- ❖ A 2002 poll of 800 likely voters in California found that 59 percent supported allowing pharmacists to sell syringes without a prescription in order to stem the spread of HIV and hepatitis.⁸

Visit the SB 1159 Web site for materials and more:

www.syringeaccess.com.

For more information, contact:

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¹ Those states were California, Delaware, Illinois, Massachusetts, New Jersey and Pennsylvania.

² Normand J, Vlahov D, Moses LE. Prevention of HIV Transmission: The Role of Sterile Syringes and Bleach. National Academy Press 1995;224-226.

³ Friedman, SR, Perlis, T, Des Jarlais DC. Laws Prohibiting Over-the-Counter Syringe Sales to Injection Drug Users: Relations to Population Density, HIV Prevalence, and HIV Incidence. American Journal of Public Health 2001;91:791-793.

⁴ California Department of Health Services, Office of AIDS, 2005. www.dhs.cahw.net.gov/ps/ooa/Statistics/case2003.htm.

⁵ California Department of Health Services, Office of AIDS. HIV/AIDS Among Racial/Ethnic Groups in California, 2000. <http://www.dhs.ca.gov/AIDS>.

⁶ Lorentz J, Hill L, Samimi, B. Occupational needlestick injuries in a metropolitan police force. American J. of Preventive Medicine 2000;18(2).

⁷ Groseclose SL, Weinstein B, Jones TS, et al. Impact of Increased Legal Access to Needles and Syringes on Practices of Injecting Drug Users and Police Officers – Connecticut, 1992-93; Journal of Acquired Immune Deficiency Syndrome and Human Retrovirology 1995;10:73-81

⁸ Results of a statewide survey of 800 high propensity voters conducted by Fairbank, Maslin, Maullin & Associates between October 29, 2002 and October 30, 2002.